

Notice of Allowability

Application No.

10/055,285

Examiner

Ghassem Alie

Applicant(s)

WARASHINA ET AL.

Art Unit

3724

-- **Th MAILING DATE of this communication appears on the cover sheet with the corresponding address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/21/05.
2. ☒ The allowed claim(s) is/are 14-17.
3. ☒ The drawings filed on 23 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance: The claims are allowable because the prior art does not teach that the annular ribs have distal ends spaced from the outer circumferential surface of the distal end portion of the bar and forming the escape portions of the handgrip as set forth in claim 14.

Regarding claim 14, Ballas, Sr. (4,282,652), hereinafter Ballas, teaches a bush cutting machine including a pipe-shaped operation rod, a motor which is mounted to a proximal end of the operation rod, and a drive shaft which is extending through the operation rod and it is driven by the motor. Ballas also teaches a cutting tool that is located at a distal end of the operation rod and is rotated by the drive shaft. Ballas also teaches a bar that is mounted at a fixing point between the motor and cutting tool and right and left handgrips which are mounted to distal ends of the bar. Ballas also teaches that the handgrips have a mounting portion that is in direct contact with and fixedly mounted to the bar at a point located substantially at a center gravity of a sum of a mass of the respective handgrips and a portion of the bar which is extending between the fixing point and a respective one of the distal ends of the bar. Ballas also teaches that the mounting portions of the respective handgrips are located at portions of the bar at which vibrations transmitted to the bar from the motor through the operation rod are minimized.

Steere, Jr., et al. (3,344,684) teaches a handgrip including a plurality of escape Portions that are not in contact with the bar to reduce vibration transmitted from the bar to the handgrip. Steere also teaches that the handgrip includes an elongated hollow body having an inner circumferential surface facing an outer circumferential surface of the bar. Steere

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teaches that the inner circumferential surface has a first portion held in contact with the outer circumferential surface of the bar and a second portion being out of contact with the bar.

Steere also teaches that the second portion a plurality of annular ribs projecting from the inner peripheral surface of the handgrip. Steere also teaches that the ribs are spaced from one another in a longitudinal direction of the elongated body of the handgrip and the annular ribs have distal ends.

However, Ballas in view of Steere does not teach not teach that the annular ribs have distal ends spaced from the outer circumferential surface of the distal end portion of the bar and forming the escape portions of the handgrip as set forth in claim 14.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claim 14.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Comments

2. In view of the amendment of the specification and claim 14, the objected to specification under 35 and the rejection of claim 14 35U.S.C. 112, first paragraph, have been withdrawn.

Claims 1-13 have been cancelled.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).

GA/ga

February 1, 2005


Allan N. Shoap
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